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Pursuant to paragraph 9 of Article 14 of the Audiovisual Media Services Act (Official Gazette of the RS, no. 87/11), the Director of the Post and Electronic Communications Agency of the Republic of Slovenia hereby issues the following

**General Legal Act  
on the Protection of Children and Minors in Television Programs and Audiovisual  
Media Services on Demand**

**I. GENERAL PROVISIONS**

Article 1

This General Act defines programming content that could cause grievous harm to the physical, mental, or moral development of children or minors (hereinafter: the development of children or minors), and programming content that could harm the development of children and minors, and sets the level of protection in the programming content defined in this General Act, along with the guidelines for broadcasting such content.

Article 2

(1) The terms used in this General Act shall have the following meanings:

1. "Violence" shall mean any behavior which causes people or their integrity, other living beings, or material objects harm or damage by using force, threats, or any other inappropriate means, and comprises primarily physical, verbal, or psychological violence, (self-)destructive behavior, and violent or non-consensual sex.

2. "Gratuitous display of violence" shall mean any display of excessive violence which exceeds the level of violence necessary for achieving the purpose of the violence (e.g. abuse, torture). This means any violence without the context or purpose that would justify the depiction of this violence (the display of violence has no other purpose).

3. "Discrimination" shall mean any unequal treatment or incitement of such treatment based on gender, race, ethnicity, nationality, language, religion or belief, social class, sexual orientation, age, disability, physical appearance, or other circumstances.

4. "Sexual programming content" shall mean any programming content with the main purpose of sexually stimulating the audience by showing seductive poses or sexual positions without showing genitals, which simulates, implies, or suggests consensual sexual acts between humans without elements of violence, humiliation, or insult.

5. "Explicit sexual programming content" shall mean any programming content with the main purpose of sexually stimulating the audience by explicitly showing genitals, or consensual sexual acts between humans with explicit display of genitals.

6. "Pornographic programming content" shall mean any programming content with the main purpose of sexually stimulating the audience by explicitly showing genitals, or consensual sexual acts between humans with explicit display of genitals, which also contains explicit elements of grave violence, humiliation, insult, or rough fetishes.

7. "Harmful substances" are toxic substances or substances whose abuse may be harmful or dangerous (e.g. glues, solvents, medicines, cleaners, fireworks).

8. "(To) display" shall mean an implicit or explicit visual, audiovisual, audio, verbal, or other display, suggestion, description, or presentation.

9. “Frequent” or “predominant” display of certain acts shall mean the display of certain acts over a significant part of the entire programming content.

10. “Negatively framed” shall mean that the programming content contains a clear message that a certain act is socially unacceptable, harmful, dangerous, wrong, or punished.

11. “Positively framed” shall mean that the programming content contains a clear message that a certain act is socially acceptable or approved.

12. “Feasibility of the displayed” shall mean that the programming content contains acts that can be performed in everyday life.

13. “Justified by the context” shall mean that the programming content contains acts that could by themselves harm the development of children or minors, however acts related to them or the context of such programming content (e.g. its purpose, genre, educational, historical, or comic context, the manner in which such acts are shown, or their framing) mitigate the display.

14. “Children” shall mean persons under the age of 15.

15. “Minors” shall mean persons aged 15–18.

16. “Children’s programming content” shall mean any programming content primarily created and intended for children.

17. “Fictional programming content” shall mean any programming content showing unreal or imaginary i.e. fictional events, as well as real events treated in a fictional manner (e.g. biographies). Fictional programming content primarily comprises films, mini-series, series, cartoons, and animated films.

18. “Non-fictional programming content” shall mean any programming content perceived by the audience as real, especially reality, documentary, educational, call-in and talk shows, documentary films, and quiz shows.

19. “Classification of programming content” shall mean scheduling the content for the purpose of broadcasting it on a TV channel, or classifying it in the catalog of on-demand audiovisual media services based on how appropriate that content is for individual age groups. Stricter rating means that the programming content will be scheduled on the TV channel at a later time, or that it will be assigned a higher age restriction.

(2) Other terms used in this General Act carry the same meaning as in the act regulating audiovisual media services and in the act regulating the media.

## **II. GUIDELINES FOR BROADCASTING PROGRAMMING CONTENT WHICH COULD HARM THE DEVELOPMENT OF CHILDREN AND MINORS**

### **Article 3**

(1) These guidelines apply to the classification all programming content provided by providers of on-demand audiovisual media services through their schedules or catalogs.

(2) Providers of audiovisual media services must classify the programming content, which could harm the development of children and minors based on the presence of the following elements:

- a) violence and its consequences;
- b) dangerous behavior;
- c) scary content;
- d) tobacco products, drugs, alcohol, and other harmful substances;
- e) inappropriate language;
- f) nudity;
- g) sex;

h) discrimination.

(3) When assessing each of the elements from the preceding paragraph, the providers of audiovisual media services must consider:

a) the context in which scenes that could harm the development of children and minors appear, considering the expectations of viewers of a certain genre and the purpose of the programming content (e.g. scenes in an educational, historical, or comical context, a critical approach to the harmful behavior or raising awareness of the danger or harmfulness are usually classified less strictly);

b) the effects of the programming content and feelings the content provokes in viewers (e.g. the programming content as a whole provoking the feeling of discomfort or anxiety, even though it does not contain explicit scenes that would be inappropriate for a certain age group, or, on the contrary, a certain scene that could be inappropriate for a certain age group taking up a negligible part of the entire programming content and therefore not having a significant impact on the feelings the content provokes in viewers);

c) the level of realism and type of the programming content (e.g. stricter criteria is applied in rating non-fictional programming content than in rating fictional content, as children and minors perceive it as more realistic);

d) the frequency, duration, intensity (e.g. audio, verbal, visual, textual emphasis), and graphicness of scenes that could harm the development of children or minors (e.g. stricter criteria is usually applied in rating programming content with graphic or intense scenes that provoke anxiousness, discomfort, anxiety, or fear in viewers);

e) the feasibility of acts that children or minors could copy and that could threaten or damage their development, health, or safety (e.g. stricter criteria is usually applied in rating scenes with details of dangerous experiments, or use or abuse of easily available tools or other objects, if these acts could be copied by children or minors);

f) the framing of displayed acts (e.g. stricter criteria is usually applied in rating scenes that glorify violence, or encourage or glorify the use of harmful substances, while more moderate criteria is usually applied in rating programming content that negatively frames or implicitly or explicitly criticizes such acts); and

g) the manner in which an issue is treated from the aspect of appropriateness for a certain age group.

(4) When rating programming content, a provider may also observe the recommendations of established organizations specialized in rating audiovisual programming content.

#### Article 4

(1) Children's programming content may not contain scenes in which drugs or other harmful substances are consumed, nor which contain drinking alcohol, smoking, violence, or dangerous behavior that children could copy in a dangerous way, unless such scenes are justified by the context and negatively framed.

(2) Scenes with nudity or sexual relations are only allowed in children's programming content for educational purposes or when justified by the context.

(3) Inappropriate language may only be used in children's programming content in exceptional cases and when justified by the context.

(4) On television channels, the transition from programming content intended for younger age groups to programming content intended for older viewers should not be sudden but gradual.

(5) The same applies to trailers for such programming content.

### **III. PROGRAMMING CONTENT WHICH COULD HARM THE DEVELOPMENT OF CHILDREN AND MINORS**

#### **Article 5**

(1) Programming content which could harm the development of children and minors is classified in one of the following categories:

- appropriate for all children with parental guidance (PG);
- inappropriate for children under 12;
- inappropriate for children under 15;
- inappropriate for children and minors under 18.

(2) When classifying programming content into one of the above categories, the audiovisual media services provider must observe the recommendations from Article 3 of this General Act.

(3) Programming content which could harm the development of children and minors may only be broadcast on television channels if scheduled at an appropriate time or restricted using a method of technical protection. If access to such content is restricted with technical protection, such content may be scheduled at any time, however if not, access to it must be restricted by scheduling it at an appropriate time. Explicit sexual programming content is an exception and its broadcasting is regulated by Article 10 of this General Act.

(4) If a news program includes scenes that could harm the development of children or minors, but are nonetheless justified by the context (e.g. scenes of traffic accidents and natural disasters and their victims, war violence), a notification by the news anchor or other suitable warning for the viewers should be published in due time before such scenes. Providers are not obliged to label this programming content in accordance with paragraph 7 of Article 14, or paragraph 2 of Article 15 of the act regulating audiovisual media services.

#### **III/1 Programming content for which supervision of parents or legal guardians is recommended**

#### **Article 6**

(1) Programming content for which supervision of parents or legal guardians is recommended is content that is age-appropriate for all age groups, but includes scenes that might upset children under the age of 12, or might not be understandable without adult supervision. Such programming content includes infrequent, short, mild, and discreet scenes with elements listed in paragraph 2 of Article 3 of this General Act, without showing details, sex, or use of drugs or abuse of other harmful substances. It may include:

- a) moderate and infrequent scenes of violence or suffering;
- b) infrequent scenes of dangerous behavior which children could copy;
- c) infrequent, short, and mild horrifying or frightening scenes, sounds, or effects;
- d) infrequent and short scenes of using tobacco products or alcohol that do not encourage taking or using these substances;
- e) moderate inappropriate language;
- f) infrequent scenes with nudity without any sexual context;
- g) infrequent and discreet suggestions of sexual activity;
- h) infrequent and short scenes of discrimination justified by the context, which may include occasional elements of violence only if these are shown in educational or historical context and are clearly negatively framed.

(2) Programming content from the preceding paragraph may be available on television channels and in on-demand audiovisual media services at any time, however under paragraph 7 of Article 14 and paragraph 2 of Article 15 of the act regulating audiovisual media services it must be labeled with a notification and a symbol (PG), which recommends the supervision of parents or legal guardians.

### **III/2 Programming content inappropriate for children under the age of 12**

#### **Article 7**

(1) Programming content that could harm the development of children under the age of 12 and is therefore inappropriate for this age group includes occasional, moderately long, moderately intense, moderately explicit scenes with elements from paragraph 2 of Article 3 of this General Act, which however are not so intense as to be inappropriate for children aged 12 or more, considering their context and the effects of the whole programming content. It may include:

- a) occasional moderate violence, suffering, or scenes showing blood, infrequent scenes of severe violence without explicit display of details or without emphasizing injuries or blood, scenes of sexual violence which are only implied or justified by the context;
- b) occasional more explicit scenes of dangerous behavior which children could copy;
- c) moderately frightening or horrifying scenes, sounds, or effects;
- d) occasional use of tobacco products or alcohol, which does not encourage smoking or alcohol abuse, infrequent scenes of drug use or abuse of other harmful substances which do not encourage, glorify, or explicitly show the consumption of these substances;
- e) moderate inappropriate language with occasional strong swear words;
- f) frequent or longer scenes with nudity without sexual context or occasional scenes with nudity with sexual context;
- g) occasional and discreet scenes of sex without details, unless these are shown with the purpose of raising awareness or educating about human sexuality or health;
- h) occasional or moderately long scenes of discrimination justified by the context, which may include occasional elements of serious violence only if these are negatively framed.

(2) Programming content from the preceding paragraph must be broadcast on television channels after 9 PM regardless of the genre, and labeled in accordance with paragraph 7 of Article 14 of the act regulating audiovisual media services. In on-demand audiovisual media services such content may be available at any time, it however must be labeled in accordance with paragraphs 2 and 3 of Article 15 of the act regulating audiovisual media services.

### **III/3 Programming content inappropriate for children under the age of 15**

#### **Article 8**

(1) Programming content that could harm the development of children under the age of 15 and is therefore inappropriate for this age group includes frequent, long, intense, explicit, or graphic scenes with elements from paragraph 2 of Article 3 of this General Act, which however are not so intense as to be inappropriate for minors aged 15 or more, considering their context and the effects of the whole programming content. It may include:

- a) frequent moderate violence, suffering, or scenes showing blood, explicit depiction of consequences, occasional scenes of severe violence, occasional non-explicit scenes of sexual violence;
- b) graphic scenes of dangerous behavior which children could copy;
- c) intense or long frightening or horrifying scenes, sounds, or effects;
- d) frequent scenes of use of tobacco products or alcohol, occasional more explicit scenes of drug use or abuse of other harmful substances which do not encourage or glorify the use of these substances;
- e) inappropriate language with frequent strong swear words or vulgar expressions;
- f) frequent or long scenes with nudity in a sexual context;
- g) frequent or long scenes of sex without explicit details, unless these are shown with the purpose of raising awareness or educating about human sexuality or health;
- h) frequent or long scenes of discrimination justified by the context, which may include frequent elements of serious violence;

(2) Programming content from the preceding paragraph must be broadcast on television channels after 10 PM regardless of the genre and labeled in accordance with paragraph 7 of Article 14 of the act regulating audiovisual media services. In on-demand audiovisual media services such content may be available at any time, it however must be labeled in accordance with paragraphs 2 and 3 of Article 15 of the act regulating audiovisual media services.

### **III/4 Programming content inappropriate for children and minors under the age of 18**

#### **Article 9**

(1) Programming content that could harm the development of children and minors under the age of 18 and is therefore inappropriate for this age group includes very frequent, very long, very intense, very explicit, or very graphic scenes with content (topics) primarily intended for adults, which are so intense that they are inappropriate for children and minors aged under 18, considering their context and the effects of the whole programming content. It may include:

- a) severe violence or suffering, extreme scenes showing blood, scenes of sexual violence, graphic or explicit scenes of grave and terrifying consequences of violence (e.g. mutilated bodies, deadly wounds);
- b) graphic scenes of very dangerous behavior that can be copied;
- c) very intense or very long horrifying or frightening scenes, sounds, or effects;
- d) content that to a large extent depicts violence, crime, sex, alcoholism, or drug addiction, and includes explicit scenes of drug use, or abuse of alcohol or other harmful substances, which are not negatively framed;
- e) strongly inappropriate language which includes frequent, aggressive, or repeated use of the strongest swear words or vulgar expressions, which provoke feelings of discomfort, inferiority, offense, etc. in an average adult;
- f) graphic scenes with nudity and sex in content whose primary purpose is not to sexually stimulate the audience;
- g) sexual programming content;
- h) frequent, long, severe, or explicit scenes of discrimination justified by the context.

(2) Programming content from the preceding paragraph must be broadcast on television channels after midnight regardless of the genre and labeled in accordance with paragraph 7 of Article 14 of the act regulating audiovisual media services. In on-demand audiovisual media services such content may be available at any time, it however must be labeled in



accordance with paragraphs 2 and 3 of Article 15 of the act regulating audiovisual media services, and access to it must be restricted using technical protection.

(3) The on-demand audiovisual media service provider must classify any content from item g) of paragraph 1 in a special section of the catalog, so that it is separated from other content.

### **III/5 Explicit sexual programming content**

#### **Article 10**

(1) Explicit sexual programming content may only be broadcast on television channels or through on-demand audiovisual media services if access to such content is restricted and only enabled to adults by assigning users a PIN code or applying an equivalent protection system. Access to such content must be blocked by default, and users must have the possibility of setting access to such content, whereas access (with a code, password) may only be granted to adults who are informed of the purpose of technical protection and given exact instructions on using it.

(2) Programming content from the preceding paragraph may be available at any time, and must be labeled in accordance with paragraph 7 of Article 14, or paragraphs 2 and 3 of Article 15 of the act regulating audiovisual media services.

(3) The on-demand audiovisual media service provider must classify any content from this Article in a special section of the catalog, so that it is separated from other content.

### **IV. PROGRAMMING CONTENT THAT MIGHT SERIOUSLY HARM THE DEVELOPMENT OF CHILDREN AND MINORS**

#### **Article 11**

(1) Programming content that might seriously harm the development of children and minors may not be broadcast and can only be provided through on-demand audiovisual media services if the provider of such services ensures that such content is only available in a way that prevents children and minors from hearing or seeing it.

(2) Programming content from the preceding paragraph includes:

- a) programming content depicting violence without justification;
- b) pornographic programming content.

(3) Providers of on-demand audiovisual media services may broadcast content from the preceding paragraph at any time if access to such content is restricted and only enabled to adults by assigning users a PIN code or applying an equivalent protection system. Access to such content must be blocked by default, and users must have the possibility of setting access to such content, whereas access (with a code, password) may only be granted to adults who are informed of the purpose of technical protection and given exact instructions on using it.

(4) Providers of on-demand audiovisual media services must label the content from this Article with information that clearly informs users that this content might gravely harm the development of children and minors.

(5) The on-demand audiovisual media service provider must classify any content from this Article in a special section of the catalog, so that it is separated from other content.



## **V. FINAL PROVISION**

### **Article 12**

This General Acts shall come into force on the fifteenth day after being published in the Official Gazette of the Republic of Slovenia.

no. 0073-9/2012/22  
Ljubljana, 8 October 2013  
EVA 2013-3340-0021

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